

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA**

**CASE NO. 22-mj-04089-LMR**

**UNITED STATES OF AMERICA**

**v.**

**ISREAL EASTERDAY,**

**Defendant.**

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**ORDER OF DETENTION**

On December 13, 2022, this Court held a hearing pursuant to 18 U.S.C. § 3142(f) to determine whether Defendant Isreal Easterday (“Easterday”) should be detained pending trial.

Having considered the evidence presented at the pre-trial detention hearing, the pre-trial services report, and the factors enumerated in 18 U.S.C. § 3142(g), the Court finds by clear and convincing evidence that there is no condition or combination of conditions that will reasonably assure the safety of any other person and the community if Easterday is released on bond. Therefore, the Court orders the detention of Easterday prior to and until the conclusion of trial.

In accordance with the provisions of 18 U.S.C. 3142(i)(I), the Court makes the following findings of fact and statement of reasons for the detention:

1. The charges against Easterday are serious. Easterday is charged by criminal complaint with the following offenses: assaulting, resisting, or impeding an officer using a dangerous weapon or inflicting bodily injury in violation of 18 U.S.C. §§ 111(a)(1) and (b); civil disorder in violation of 18 U.S.C. § 231(a)(3); entering and remaining in a restricted building or grounds with a deadly or dangerous weapon in violation of 18 U.S.C. §§ 1752(a)(1) and (b)(1)(A); disorderly and disruptive conduct in a restricted building or grounds in violation of 18 U.S.C. § 1752(a)(2); engaging in physical violence in a restricted building or grounds in violation of 18

U.S.C. § 1752(a)(4); and disorderly conduct in a Capitol building in violation of 40 U.S.C. § 5104(e)(2)(D).

2. The weight of the government's evidence is substantial. The government proffered the following evidence at the detention hearing:

- a. Easterday participated in the riot at the United States Capitol on January 6, 2021. Specifically, Easterday was part of a group of rioters that attempted to breach the East Rotunda Door to the Capitol Building at a time when United States Capitol Police Officers, who were greatly outnumbered by the rioters, tried to prevent the rioters from breaching the Capitol.
- b. A publicly available video described by FBI Special Agent Andrew Martin shows that, during that confrontation, Easterday intentionally sprayed a Capitol Police officer with mace or some form of chemical irritant. The victim officer has previously testified, in another case, to the pain that this assault inflicted upon him while he was trying to perform his duties to protect the Capitol.
- c. Shortly after this incident, this group of rioters, including Easterday, succeeded in breaching the United States Capitol through the East Rotunda door.

3. If convicted, Easterday faces a significant amount of time in prison, with the government estimating a sentencing guideline range of 87 to 108 months, including anticipated enhancements.

4. In light of Easterday's documented intentional attack on a law enforcement officer protecting the United States Capitol with a chemical substance that caused him pain and irritation and his subsequent breach, with other rioters, of the United States Capitol notwithstanding efforts of Capitol Police Officers to protect the premises, the Court concludes that Easterday has exhibited

a callous disregard for the safety and well-being of law enforcement officers and the integrity of federal property. Accordingly, the Court finds by clear and convincing evidence that no condition or combination of conditions will reasonably assure the safety of any other person and the community if Easterday is released on bond.

5. For these reasons, the Court hereby directs that:
  - a. Easterday be detained without bond;
  - b. Easterday be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practical, from persons awaiting or serving sentences or being held in custody pending appeal;
  - c. Easterday be afforded reasonable opportunity for private consultation with counsel; and
  - d. On order of a court of the United States or on request of an attorney for the government, the person in charge of the corrections facility in which Easterday is confined shall deliver him to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

DONE AND ORDERED in Miami, Florida, this 15th day of December, 2022.

  
ALICIA M. OTAZO-REYES  
UNITED STATES MAGISTRATE JUDGE

cc: Counsel of Record  
Pretrial Services  
U.S. Marshals Service